

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS

DANIEL QUINONEZ on behalf of himself	§	
and others similarly situated,	§	CIVIL ACTION NO. 4:16-cv-01092-O
	§	
<i>Plaintiffs,</i>	§	
	§	JURY TRIAL DEMANDED
v.	§	
	§	
ALPHA AIR CONDITIONING,	§	COLLECTIVE ACTION
HEATING & ELECTRICAL LLC,	§	
	§	
<i>Defendant.</i>	§	
	§	

**PLAINTIFF’S MOTION FOR LEAVE TO PROCEED WITHOUT LOCAL COUNSEL
AND INCORPORATED BRIEF IN SUPPORT**

COMES NOW, Daniel Quinonez, on behalf of himself and others similarly situated, and respectfully moves this Court for leave to proceed without local counsel pursuant to Local Rule 83.10(a).

1. Plaintiff filed suit in this matter on December 1, 2016 against Alpha Air Conditioning, Heating & Electrical, LLC (“Defendant”), alleging violations of the federal Fair Labor Standards Act, 29 U.S.C. § 201 *et seq.* (“FLSA”).

2. Robert W. Cowan, Attorney-in-Charge for Plaintiff, is admitted to practice law in this District and the State of Texas. Mr. Cowan has appeared and filed Plaintiff’s operative complaint.

3. Mr. Cowan has experience in this area of the law, and has acted as lead counsel in numerous cases in federal courts throughout the country, including the federal district courts of Texas.

4. Mr. Cowan’s office is in Houston, Texas, approximately 250 miles from this

Honorable Court. However, Mr. Cowan does not maintain an office within 50 miles of Fort Worth, Texas, as required by Local Rule 83.10(a).

5. In acting as lead counsel of record for numerous plaintiffs in federal district courts in and outside of Texas, Mr. Cowan has never encountered an issue responding to a court in a timely fashion or attending a hearing in person, when necessary.

6. Plaintiff's counsel is willing and able to travel to Fort Worth for purposes of any hearing(s), where a telephonic appearance is not feasible or is not permitted. Barring conflicts, he can appear in this Court upon one day's notice.

7. Mr. Cowan is acquainted with this Court's local rules and local counsel requirements.

7. As such, Plaintiff requests this leave of Court to proceed with the undersigned as his counsel of choice based on counsel's experience and knowledge in litigating cases brought pursuant to the FLSA.

WHEREFORE, Plaintiff prays that the Court issue an Order granting leave to Plaintiff to proceed without local counsel as defined by Local Rule 83.10(a).

Dated: December 7, 2016

Respectfully submitted,

BAILEY PEAVY BAILEY COWAN
HECKAMAN PLLC

By: /s/ Robert W. Cowan

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CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies that on December 7, 2016, a true and correct copy of the foregoing was filed and served via CM/ECF on all counsel of record. The undersigned attorney has not conferred with counsel for Defendant Alpha Air Conditioning, Heating & Electrical, LLC because no counsel for Defendant has entered an appearance to date.

By: /s/ Robert W. Cowan
Robert W. Cowan